

**ORIGINAL**

:Michael-Guy:of the MA  
Sole Equitable Holder of  
:Mark-Edward:Hill, Duly  
of the legal Trust Estate. 1  
Original jurisdiction Non  
23605 7th Avenue West, Bothell, Washington  
DMM Reg. Sec.122.32; Public Law 91-375, Sec.403  
(425) 761-3560, De Jure American National's of Israel

FILED  
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RE  
AT SEATTLE  
CLERK U.S. DISTRICT COURT  
BY WESTERN DISTRICT OF WASHINGTON DEPUTY

Civilian Flag of Peace

**UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON**  
**AT SEATTLE**

:Michael-Guy: of the MALLONEE Estate,  
Living Man. And :Mark-Edward:, Duly  
Authorize Administrator for MALLONEE  
Trust Estate. Not Pro Se  
De Jure Americans.

vs

Petitioners

Yvonne J. Wheeler and Rosalyn Hall  
*and/or her successor, individually, and in  
her official capacity as A.V.P. For CAL-  
WESTERN RECONVEYANCE  
CORPORATION OF WASHINGTON  
and AURORA LOAN SERVICES, LLC,  
and James K. Miersma, Janaya L. Carter,  
Lauren Davidson Humphrey s, Valerie I  
Holder, and/or her successor, individually,  
and in their official capacity in ROUTH  
CRABTREE OLSEN, P.S. and U.S. BANK  
NATIONAL ASS, R.K ARNOLD, VILMA  
CASTRO, MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS INC, and  
SNOHOMISH COUNTY SHERIFF  
OFFICE, JOHN LOVICK, DEPUTY  
MURPHY #1439 and COLDWELL  
BANKER BAIN, BARRY THARP and  
STATE OF WASHINGTON & Subsidiarity  
Agency's & Alleged, Grantor's, Grantees &  
Beneficiary's 1-100. ALL *an ens legis  
being used to conceal fraud,**

Respondents

Admiralty Case No.C12-1016-RAJ.  
(Original Estate-Article III; Constitution)

Petitioners verified response to Writ:  
ORDER TO SHOW CAUSE

Filed 07/06/2012 by

JUDGE- RICHARD ANTHONY JONES

Response Date August 3, 2012.

Failure to do so within the 15 days, allowing  
up to three days grace for mail delivery, will  
place you and your office in default, and the  
presumption will be taken upon the public  
record that you and your office fully agrees  
to the points and authorities contained  
within this Petitioners/Claimants verified  
response to Writ: ORDER TO SHOW  
CAUSE and that they are true, correct, and  
certain.

Response Date: 07-30-2012.

NOTICE TO CLERK: The bill of lading  
therefore takes away the immunity of clerks  
and judges, if the cargo is not delivered into  
the admiralty court, and adds criminal  
penalties for compliance failures.

No Magistrates. No one may handle this case  
but an Article III judge The nature of this cause  
is Injunctive relief, albeit preemptive. Title 28  
U.S.C. §636(b)(1)(A).

CERTIFICATE OF SERVICE.

Clerk file documents in order pursuant  
to the last document (9) certificate of  
service file in order 1 through 8.

Comes now Petitioners of the MALLONEE Estate family Trust speaking for his family and Estate, :Michael-Guy: Living Man. And :Mark-Edward:, Duly Authorize Administrator for MALLONEE Trust Estate. We are regenerate men in the faith of Yahoshua H'Mashiach **יְהוֹשֻׁעַ הַמָּשִׁיחַ** and making a special visitation by absolute ministerial right to the district court, "restricted appearance" under Rule E (8). We depose and say and declare under penalties of perjury verified by Our lawful seal that the following Certified facts are true to the best of our knowledge and belief, That all the facts stated herein are not hearsay but true and correct, and complete admissible as evidence, **if not rebutted and proved inaccurate as follows:**

**STATEMENT OF FACT**

1) The following ORDER TO SHOW CAUSE Filed 07/06/2012 by JUDGE- RICHARD ANTHONY JONES in Administrative Article I Tribunal capacity the Response Date August 3, 2012, Within page 25, this ORDER TO SHOW CAUSE is hereby on and for the record established facts filed into this case to support admiralty and maritime jurisdiction for Original Estate-Article III; Constitution, Petitioners received said ORDER by mail and writ of mandamus is filed into said case to support claims, JUDGE- RICHARD ANTHONY JONES make's claims that the complaint is incomprehensible, we are to presume with all due respect the possibility that this court is incompetent to understand the complaint as an excuse not to recognize our special visitation by absolute ministerial right to the district court, and our Sovereignty and the right to remain on the side of the republican form of government and the right to be free as American Nationals and Stateless, granted by the organic constitution and our

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**יְהוֹשֻׁעַ הַמָּשִׁיחַ יְהוֹשֻׁעַ הַמָּשִׁיחַ** Yehoshua H'Natzrith Y'Molech H'Hadiim – *Jesus Christ King of the Jews*. Hebrew acronym YHVH the Name of God.

right to remain forever private as nationals on the judicial side of government which was replaced by Statutory and administrative tribunals with involuntary servitude. In violation of the 13<sup>th</sup> amendment filed into said case two times.

FACTS OF LAW WITH IN ADMIRALTY

2) We come in peace and to speak the truth, the truth is Sovereign We are Petitioners by right NOT plaintiff's We are not Pro Se, we are Sur Juris in our right to create a de jure record to establish all facts hereinafter, The courts in the United States have always been open since 1789 to receive admiralty documents, and are still required to do so by authorization of 5: Stat. 516, Ch. 188, §: 5 with the enactment date of August/23/1842, with the authority of the act of the September/24/1789: Chapter: 20.

3) JUDGE- RICHARD ANTHONY JONES make's claims in the ORDER TO SHOW CAUSE that petitioners have not alleged any facts that give rise to admiralty jurisdiction and its sister maritime jurisdiction, this could not be further from the truth on the civil cover sheet the cause of action is Diversity of Citizenship, Title 28 U.S.C. § 1331. The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States. (June 25, 1948, c. 646, 62 Stat. 930; July 25, 1958, Pub.L. 85-554, § 1, 72 Stat. 415; Oct. 21, 1976, Pub.L. 94-574, § 2, 90 Stat. 2721; Dec. 1, 1980, Pub.L. 96-486, § 2(a), 94 Stat. 2369.).

4) And Title 28 U.S.C. § 1333. Admiralty, maritime and prize cases, The district courts shall have original jurisdiction, exclusive of the courts of the States, of: (1) Any civil case of admiralty or maritime jurisdiction, saving to suitors in all cases all other remedies to which they are otherwise entitled. (2) Any prize brought into the United States and all proceedings for

the condemnation of property taken as prize.

5) And this Petitioners verified response to Writ: and counterclaim with exhibits and notice lis pendens are now in the "exclusive original cognizance" of the United States through the district court - see the First Judiciary Act of September 24, 1789, Chapter 20, page 77.

6) The Suits in Admiralty Act is a law where the United States specifically waives its immunity in three situations: (1) If the admiralty suit involves a vessel [key word] of the United States. Once we look into the definition of the word *vessel*, we will discover that any of the actors working for the United States are vessels, enabling us properly to apply this provision within our case. In Benedict's on Admiralty, we find that the description of a vessel is so vague, that anything can be a vessel.

7) We are all vessels; human bags carrying "sea water." "Our blood has the same specific gravity as sea water." In the Bible, a woman is described as the "weaker vessel." (2) Cases that involve cargo belonging to the U.S.. Within the context of our case, when the cargo [the paperwork] of the United States harms us, the United States gives us a blanket waiver of immunity, or three, if the United States could be sued in the admiralty if it were a private party. Since we are going into an international jurisdiction, (a set aside, fenced territory) every time we go into the court, we are entitled to sue the United States in the admiralty if the United States were a private party (emphasis added).

8) The Bill of Lading Act is another piece of legislation that helps level the playing field, by imposing liability against carriers that misplace, or miss deliver our cargo (paperwork). Cargo can literally be anything. All manners of things are shipped internationally, from cigarette lighters to books. So we are not making any sort of stretch to say our paperwork is

cargo. If the bill of lading sufficiently describes the cargo, the carrier is liable for damages caused by miss delivery. A bill of lading is nothing more than a document given to the shipper that gives instructions where the cargo is to be delivered, and what the cargo looks like. For the bill of lading to be effective, it must describe the cargo being transported sufficiently so that the shipper can identify the cargo enough to be held responsible, when the shipper delivers the cargo somewhere else, See complaint and Exhibits A though T.

9) The Bill of Lading Act includes a criminal penalty, because the losses suffered by the customers of the shippers can be very great. We use a bill of lading in all of our lawsuits. The bill of lading describes the cargo (the lawsuit), and tells the court clerk to carry the suit into the admiralty jurisdiction of the court.

10) The clerk is a public vessel, and the carrier. Our bill of lading identifies the cargo as the lawsuit, by describing the suit's postal registry number that we have placed on the Certificate of service, by describing the paperwork as having an American flag on the paperwork, etc. The bill of lading creates a liability for which the damaged party can recover in a suit if the documents are diverted into another venue. If a carrier is found wanting in due diligence concerning the delivery of the cargo, the liability attaches at the time of the diversion of the documents. The bill of lading therefore takes away the immunity of clerks and judges, if the cargo is not delivered into the admiralty court, and adds criminal penalties for compliance failures.

11) The Admiralty Extension Act extends the admiralty jurisdiction inland. All states by law have access to the sea. Therefore any land locked country has an easement, so to speak, across other countries in order to get to the sea. All states have an admiralty jurisdiction in all

of their courts, and they hate admitting it.

12) The Foreign Sovereign Immunity Act. Any foreign sovereigns are liable for damages while doing business in the United States. This provision has application since the foreign sovereign — the judges, clerks, etc. — that operate on the behalf of a defacto foreign fiction government. Officials are liable for the damages that they commit while doing business in the country.

13) The Public Vessels Act is another of the admiralty provisions that are helpful to the litigants of the Universal-Legal-Technology. Since the Claimants has been damaged by a judge, police officer, prosecutor, court clerk, or other public vessel, the Claimants is authorized to sue for the damages in the venue of the admiralty jurisdiction. Again, the Public Vessels Act is a law that specifically waives any immunity of the government.

14) The Post Office and the International Postal Union, The role of the United States Post Office and the Universal Postal Union became a factor in our lawsuits because of several bankruptcies that the United States has been through over the history of the country. When one declares himself a bankrupt, that person is no longer legally competent to conduct his affairs.

15) The court becomes a fiduciary, and appoints a trustee to oversee the affairs of the bankrupt. It does not matter if the bankrupt is a common man, or a nation; except that a nation still has a right to conduct war. Typically the average person anywhere in the world thinks of their Postal System as a part of, and subservient to, their government. However, the postal system in the United States has a different legal history than one would expect.

16) POST OFFICE. A place where letters are received to be sent to the persons to whom they, are addressed.

17) The post office establishment of the United States, is of the greatest importance to the people and to the government. The constitution of the United States has invested congress with power to establish post offices and post roads. Art. 1, s. 8, n. 7. 3. By virtue of this constitutional authority, congress passed several laws anterior to the third day of March 1825, when an act, entitled "An act to reduce into one the several acts establishing and regulating the post office department," was passed. 3 Story, U. S. 1825. It is thereby enacted, 1. That there be established, the seat of the government of the United States, a general post office, under the direction of a postmaster general.

18) We need to take notice where the commas are placed on that last sentence. "That there be established, the seat of the government of the United States, a general post office, under the direction of a postmaster general." When we set off a clause with commas, We make sure that the sentence makes sense without that clause.

19) Taking out the set-off clause, we read, . . . "the seat of the government of the United States under the direction of a postmaster general." The creation of the Post office occurs before the creation of the seat of the government, and is placed in authority *over* the seat of government. What is the effect of these legal techniques? The stated position of an object and the sequence of events play an important role in the Universal-Legal-Technology.

20) The effect is that the Government's later bankruptcies in 1859 and 1929 have no legal effect upon the solvent Post-Office. We can make a case that the formation of the Post-Office before the formation of the government's operations is a stroke of dumb luck. Perhaps it is ingenious, since communication has a higher value than government itself.

21) Bouvier, John. Law Dictionary. Adapted to the Constitution and Laws of The United



States of America and of the Several States of the American Union, With References to the Civil and Other Systems of Foreign Law. In the Philadelphia, by the Child's & Peterson (1856).

22) If any government fails, the people still have a need to communicate with one another to form a new government. And to this day, the Post-Office is still solvent and operational, ready to fulfill its duty to help the people in their communications; to set a new government should a complete break down of the existing governmental structures occur in the United States.

23) We are guaranteed that all of the parties in the case: the clerk, judge, bailiff, and litigants have the freedom of transit in the admiralty court. If the clerk, judge, or other official fails to deliver our documents as directed, or delay them, or obstruct them, that person is faced with several penalties within the admiralty statutes. The final advantage is that if we are obstructed, because of the transitory nature of the action, we are in the admiralty and can take the case offshore for adjudication in any court in the world.

WITH IN ADMIRALTY JURISDICTION TO WRIT

24) JUDGE- RICHARD ANTHONY JONES make's claims that the complaint addresses a Non-Judaical Foreclosure of property, the federal question. In international law and according to the law of the land, agents of a foreign principal are required to file any pretended claim in the appropriate district court prior to exercising rights to that claim. The district courts have "exclusive original cognizance" of all inland seizures and this includes vessels in rem (Rule C (3)) such as trust organizations and legal last names (MICHAEL GUY MALLONEE, OR MARK EDWARD HILL, artificial persons, Respondents, *Etc*).

25) (1) TRADING WITH THE ENEMY ACT AS CODIFIED IN TITLE 50 USC, (2) TITLE 28 USC, CHAPTER 176, FEDERAL DEBT COLLECTION PROCEDURE, AND (3)



FED.R.CIV.P. 4(j) UNDER TITLE 28 USC §1608, MAKING THE COURTS "FOREIGN STATES" TO THE PEOPLE BY CONGRESSIONAL MANDATE" IT IS THE DUTY OF THE COURT TO DECLARE THE MEANING OF WHAT IS WRITTEN, AND NOT WHAT WAS INTENDED TO BE WRITTEN. J.W. Seavey Hop Corp. v. Pollock, 20 Wn. 2d 337, 348-49, 147 P.2d 310 (1944), cited with approval in Berg v. Hudesman, 115 Wn. 2d at 669.

26) Those holding Federal or State public office, county or municipal office, under the Legislative, Executive or Judicial branch, including Court Officials, Judges, Prosecutors, Law Enforcement Department employees, Officers of the Court, and etc., before entering into these public offices, are required by the U.S. Constitution and statutory law to comply with Title 5 USC, Sec. §3331, "Oath of office." State Officials are also required to meet this same obligation, according to State Constitutions and State statutory law.

27) All oaths of office come under 22 CFR, Foreign Relations, Sections §§92.12 - 92.30, and all who hold public office come under Title 8 USC, Section §1481 "Loss of nationality by native-born or naturalized citizen; voluntary action; burden of proof; presumptions."

28) Under Title 22 USC, Foreign Relations and Intercourse, Section §611, a Public Official is considered a foreign agent. In order to hold public office, the candidate must file a true and complete registration statement with the State Attorney General as a foreign principle.

29) The Oath of Office requires the public official in his / her foreign state capacity to uphold the constitutional form of government or face consequences.

30) All Seizures of property is a IN REM action, In Admiralty (Latin, power about or against "the thing") is a legal term describing the power a court may exercise over property (either real or personal) or a "status" against a person over whom the court does not have "in

personam jurisdiction". Jurisdiction in rem assumes the property or status is the primary object of the action, rather than personal liabilities not necessarily associated with the property (quasi in rem jurisdiction) the rules that govern admiralty are the Supplemental Rules A , B, C, D, E, F, and G.

31) Federal and foreign State Case Law cited within it shows that IN REM is a jurisdiction granted solely to the United States District Courts Title 28 U.S.C. § 1333. Admiralty, maritime and prize cases. The district courts shall have original jurisdiction, exclusive of the courts of the States, of: (1) Any civil case of admiralty or maritime jurisdiction, saving to suitors in all cases all other remedies to which they are otherwise entitled. (2) Any prize brought into the United States and all proceedings for the condemnation of property taken as prize.

32) "United States" defined by Blacks Law Dictionary 4<sup>th</sup> Edition, This term has several meanings.(1) It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in a family of nations, **(2) it may designate territory over which sovereignty of the United States extends,** (3) or it may be collective name of the states which are united by and under the Constitution. *Hooven & Allison v, U.S. Ohio*, 65 S.Ct. 870, 880, 324 U.S. 652, 89 L.Ed.1252.

33) Article IV §§3 clause 2 The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, and nothing in this constitution shall be so construed as to prejudice any claims of the united states, or of any particular State.

34) 18 U.S.C. §§7 Special maritime jurisdiction of the United States defined. (3) **Any Lands reserved or acquired,** for the use of the United States, and under the exclusive or

concurrent jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dock-yard, or other needful building (such as Social Security, Post office, or DMV building).

35) The "saving to suitors" clause in sections 41(3) and 371(3) of Title 28 U.S.C. 1940 was changed by substituting the words "any other remedy to which he is otherwise entitled" for the words "the right of a common-law remedy where the common law is competent to give it." The substituted language is simpler and more expressive of the original intent of Congress and is in conformity with Rule 2 of the Federal Rules of Civil Procedure abolishing the distinction between law and equity.

36) Provisions of section 41(3) of Title 28 U.S.C. 1940 based on the 1917 and 1922 amendments, relating to remedies under State workmen's compensation laws, were deleted. Such amendments were held unconstitutional by the Supreme Court. (See Knickerbocker Ice Co. v. Stewart, 1920, 40 S.Ct. 438, 253 U.S. 149, 64 L.Ed. 834, and State of Washington v. W. C. Dawson & Co., 1924, 44 S.Ct. 302, 264 U.S. 219, 68 L.Ed. 646.) Words "libellant or petitioner" were substituted for "suitors" to describe moving party in admiralty cases. Changes were made in phraseology. 80th Congress House Report No. 308.

37) Congress Never gave any Statutory Authority to any of the "states" in Original jurisdiction to proceed in an IN REM proceeding there is no record for the State of Washington or its WSBA attorneys or instrumentality's of the UNITED STATES agents of a foreign principal ie Banks, (Sic) to operate IN REM.

38) Agents of a foreign principal has no jurisdiction to proceed IN REM on the following

Authority's (Notice of foreign State Law of Washington State) The jurisdiction of a Federal Court of Admiralty is very narrow having been established only by direct grant under the constitution of the United States. A suit in Admiralty is designed \*to bring the "RES" before the court for adjudication\*. The "bottom" is sued and is made party defendant.(DRED SCOTT was treated as a PERSON or THING and was an IN REM action.) (Emphasis added) As recently as 1951 and 1963, the Washington State Supreme Court has stated that:

39) The remedy saved to suitors by the judiciary code is the right to proceed in personam against the defendant. The *Moses Taylor*, supra. With respect to actions in rem, the applicable principle, amply supported by authorities, is stated by Benedict, as follows:

40) The right to proceed in rem is the distinctive remedy of the admiralty and hence administered exclusively by the United States courts in admiralty: no State can confer jurisdiction upon its courts to proceed in rem, nor could Congress give such power to a State or its agency's, since it would be contrary to the constitutional grant of such power to the Federal Government\*. The saving clause of the Judiciary Act and of the Judicial Code does not contemplate admiralty in a common law court." 1 Benedict on Admiralty (6th ed.) 38, section 23.

41) Examination of the authorities leads us to subscribe to the above-quoted views of Benedict. Moreover, the broad language of the opinion in one of these cases, *Taylor v. Steamer Columbia* (California), to the effect that the states have the power to confer admiralty jurisdiction upon their own courts, was expressly disavowed in the later California case of *Fischer v. Carey*, supra. In another of these cited cases, *The Alcalde*, supra, the Federal court specifically refused to pass upon the question of whether the state trial court had erred in

appointing a receiver to take legal custody of the vessel. That Appellants, being minority owners, are here confronted with an admiralty principle which prevents them from obtaining, in an admiralty court, the desired sale of the vessel for partition.

42) They seek to circumvent that obstacle by applying to the state court for relief, and point to the saving clause above referred to as permitting this recourse. The fundamental purpose of Art. III, section 2, of the Federal constitution was to "preserve adequate harmony and appropriate uniform rules relating to maritime matters and bring them within the control of the Federal Government." *Knickerbocker Ice Co. v. Stewart*, 253 U.S. 149, 64 L.Ed. 834, 40 S. Ct. 438, 11 A.L.R. 1145.

43) The saving clause was never intended as a device whereby litigants could escape the uniform application of the established principles of admiralty law, as contemplated by the constitution. This is indicated by such decisions as *Southern Pac. Co. v. Jensen*, 244 U.S. 205, 217, 61 L.Ed. 1086, 37 S. Ct. 524; *Chelentis v. Luckenbach, S.S. Co.*, 247 U.S. 372, 384, 62 L.Ed. 1171, 38 S. Ct. 501; *Knickerbocker Ice Co. v. Stewart*, *supra*; and *Washington v. W.C. Dawson & Co.*, 264 U.S. 219, 68 L.Ed. 646, 44 S. Ct. 302 (affirming 122 Wash. 572).

44) In the *Knickerbocker* case, it was said, quoting the early case of *The Lottawanna*, 88 U.S. 558, 22 L. Ed. 654: "That we have a maritime law of our own, operative throughout the United States cannot be doubted. One thing, however, is unquestionable; the Constitution must have referred to a system of law coextensive with, and operating uniformly in, the whole country. It certainly could not have been the intention to place the rules and limits of maritime law under the disposal and regulation of the several States, as that would have defeated the uniformity and consistency at which the Constitution aimed on all subjects of a commercial

character affecting the intercourse of the States with each other or with foreign states. (pp. 160-161.).

45) The order of the court We therefore conclude that the courts of this state do not have jurisdiction, concurrent or otherwise, over the particular kind of action stated in appellant's amended complaint. The judgement is affirmed. MALLERY, HILL, FINLEY, and OLSON, JJ., concur." CLINE v. PRICE ,, 39 Wn.2d 816, 821, 822, 823 (December 27, 1951.).

46) THE DISTRICT COURTS SHALL HAVE EXCLUSIVE ORIGINAL JURISDICTION, EXCLUSIVE OF THE COURTS OF THE STATES, OF: (1) ANY CIVIL CASE OF ADMIRALTY or maritime jurisdiction, savings to suitors in all cases all other remedies to which they are otherwise entitled." 28 U.S.C.A. section 1333(1) SCUDERO v. TODD SHIPYARDS CORP., 63 Wn.2d 46 at 48 [No 36319. En Banc. October 10, 1963.] And; It is clear the Constitution of the United States (Art. 3, Sec. 2, Clause 1) expressly provides that the judicial power of the United States shall extend to "all cases of Admiralty and Maritime jurisdiction;" and the Federal Judiciary Act, while it gives to the Federal Courts exclusive original cognisance over civil cases of Admiralty and Maritime jurisdiction, saves to suitors the right of the common law remedy in all cases where the common law is competent to give it."

47) The following quotation from Knapp, Stout and Company vs. McCaffery, 178 Ill. 107, 69 Am. St. Rep. 290 at page 299, well illustrates the distinction between an Admiralty suit and a suit in equity for an accounting: "The jurisdiction of the courts of the United States to administer relief by proceeding in rem in Admiralty is unquestionably exclusive.

48) Such proceeding, however, is against the property only. **The distinguishing and characteristic feature of such suit is, that the vessel or thing proceeded against is itself**

**seized and pleaded as the defendant**, and is judges and sentenced accordingly. It is this dominion of a suit in Admiralty over the vessel or thing itself which gives the title made under its decree validity against all the world Citing The Moses Taylor, 4 WALL. 411).

49) No person is a defendant in such a suit. Parties who have real or personal interests determine for themselves whether they will appear and protect their interests. When a sale is made in such a proceeding, it is good against the whole world. No such remedy was sought here. This was a suit against persons. No one would be bound by decree herein except those made parties.

50) A sale, though purporting to be of the property, would really be only a sale of the interests of the defendants therein. A personal decree for the deficiency, if any, might follow. The equitable circumstances before mentioned, growing out of the sale and assignment, a denial of possession, intention to seize the property, the duty of McCaffery to protect it from a rise of the river, and the obstacles to so doing put in his way by the Knapp Company, all furnish ground for equitable cognisance. We cannot hold that because a proceeding against the raft in Admiralty.

51) We might afford some conflict, **therefore a court of equity must keep its hand off, if equitable circumstances exist which justify its granting relief on well established equitable principles against persons made defendants.** Moreover, if the case had any likeness to a suit in rem in Admiralty when it was started, it lost that distinctive character when the Knapp Company at its own request, took the raft and left a personal bond in its place. Thereafter the suit was wholly in personam." Citing Johnson vs. The Chicago Etc. Elevator Company, 119 U.S. 388, Gindele vs. Corrigan, 28 Ill. App. 476, 129 Ill. 582, 16 Am. St. Rep. 292."



Furthermore, All State Supreme Court's has disclaimed any jurisdiction over maritime torts.

West v. Martin, 47 Wash. 417, 92 Pac. 334. if this so called State Court of Washington is really a State Court or its WSBA Members, then it has NO jurisdiction to conduct an IN REM proceeding over the seizure of any of Petitioners private property or Petitioners Assets.

TAKE MANDATORY JUDICIAL NOTICE WITH IN ADMIRALTY JURISDICTION TO  
WRIT

52) The 1st judiciary act of 1789 where the district of Columbia is not listed as a state on an equal footing with the 50 states, "the state of washington" is not the same as "STATE OF WASHINGTON." Look up the word "THE" and the significance when you place "the" before another word or series of words, Now Take Mandatory judicial notice new judiciary act where you now see that the district of Columbia is now on an equal footing with the 50 corporate states which are all united states corporations that all have federal tax id numbers, there is no record creating the district of Columbia a state of original jurisdiction under the common law, If the new judiciary act shows that the district of Columbia is now on an equal footing with the 50 corporate states, what kind of states are these new 50 states and how are they different from the 50 states under the 1st judiciary act of 1792? if state of WASHINTON was really a "state", why does it have a federal tax id number the de facto corporation registered with Dun and Bradstreet their duns number is 828033006 and there federal EIN Number is 91-600-1339 and all the judges are tax payers, clearly a corporation and not be a judicial Article three court if one sovereign cannot tax another sovereign, why is FICA & social security being withheld from the so called state and federal judges paychecks? if congress never gave authority by the

constitution or any statute to any of the so called state or federal courts.

53) Maritime torts must be brought in to a federal court, however, other admiralty cases have been brought onto the land and they can do this in all the courts in all the territories & possessions which is what the 50 corporate states really are, there are no states in original jurisdiction in existence today - all so called states are really territories & possession in fact and law therefore making a clear evidence of Diversity with out jurisdiction or subject mater of any Sovereign National herein as petitioners/Claimants.

54) Administrative Law is not Common Law, Equity, or Admiralty Arising under the holding in the adjudged case of *Bowen v. Department of Social Security et al.*, 127 P.2d 682, 685 (1942), administrative law is a distinct branch of law, and it is not common law, equity, or admiralty and therefore can not arise under the Constitution of the United States, to wit: this would apply to Non-judicial procedures as well.

55) Colonel O. R. McGuire, a member of the American Bar Association's special committee on administrative \*153 law, in an article published in 26 *Georgetown Law Journal*, 574, 589, says: 'administrative law is a separate and distinct branch of the law. It is not common law, equity, or admiralty law ' The court has recognized the principle with respect to the industrial insurance act that controversies arising under it are controlled by "special statutory proceedings exercised in derogation of, or not according to, the course of the common law." *Nafus v. Department of Labour and Industries*, 142 Wash. 48, 52, 251 P. 877, 878. [Emphasis added]

56) This is also held in the adjudged decision of *State ex rel Nielson et al. v. Lindstrom*, 191 P.2d 1009, 1015 (1948). Excerpts of Congressional Record of Vol. 92 Pt. 2 and Vol. 92 Pt. 5 of 1946. Excerpt of 28 U.S.C. § 1254 with commentary from West law and some case cites.

57) Presiding officer at an administrative hearing. Such as judge does not sit as a law judge, and the power is essentially one of recommendation. In the federal system, he or she is empowered to administer oaths and affirmations, issue subpoenas, rule on evidence presented, take depositions, regulate the course of the hearing, and make or recommend decisions. 5 U.S.C. §556(c) (1) through (9). The role of Administrative Law Judges was formerly performed by hearing examiners.

58) The Administrative Law Judge's decision can be appealed to the federal agency for which he or she hears cases, and then to a court of law. Mezines, Administrative Law §6.01 (1977). See administrative procedures act. "The principle of international law on the subject of co-existing commissions on the estate of a bankrupt, in concurrent operation in different countries, is a rule of decision, not a question of jurisdiction, and does not affect the right of territorial sovereignty." Holmes vs. Remsen, 4 Johns. C. C. 466. S. C. 20 Ibid. 229.

59) Where this rule is properly applicable, it is, for all judicial purposes, a part of the law of the land -- it is the law of the land. Every judge is bound to administer it as the law of the case. He can no more disregard or disobey it, than any other part of the law. It is "common right," the right of every suitor.

60) While Congress adopted the titles and made the same only prima facie evidence of the law, it had a clear intent that the process of revision would continue, various titles could be clarified, and eventually some or all of the titles would be enacted into law as positive law. This process began in 1947 and continues through today; see 2 U.S.C. § 285b.

61) Today, 22 titles have been enacted into positive law. While a "non-positive law" title is merely prima facie evidence of the law, or a reflection of the law as exemplified by underlying

statutes within the Statutes at Large, a "positive law" title is one which has been enacted into law and the underlying statutes repealed; it is more than prima facie evidence of the law and constitutes the law itself. The following is a list of the enactment of those titles which have been enacted as "positive law" titles, in the chronological order of enactment:

62) Title 1: Act of July 30, 1947, 61 Stat. 633, ch. 388; Title 4: Act of July 30, 1947, 61 Stat. 641, ch. 389; Title 6: Act of July 30, 1947, 61 Stat. 646, ch. 390; Title 17: Act of July 30, 1947, 61 Stat. 652, ch.391; Title 9: Act of July 30, 1947, 61 Stat. 669, ch. 392; Title 3: Act of June 25, 1948, 62 Stat. 672, ch. 644; Title 18: Act of June 25, 1948, 62 Stat. 683, ch. 645; Title 28: Act of June 25, 1948, 62 Stat. 869, ch.646; Title 14: Act of August 4, 1949, 63 Stat. 495, ch. 393; Title 35: Act of July 19, 1952, 66 Stat. 792, ch. 950; Title 13: Act of August 31, 1954, 68 Stat. 1012, ch. 1158; Title 10: Act of August 10, 1956, 70 Stat. 1126, ch. 1041, published separately in 70A Stat. 1; Title 32: Act of August 10, 1956, 70 Stat. 1126, ch. 1041, published separately in 70A Stat. 596; Title 23: Act of August 27, 1958, 72 Stat. 885, P.L. 85-767; Title 38: Act of September 2, 1958, 72 Stat. 1105, P.L. 85-857; Title 39: Act of September 2, 1960, 74 Stat. 578, P.L. 86-682; Title 37: Act of September 7, 1962, 76 Stat. 451, P.L. 87-649; Title 5: Act of September 6, 1966, 80 Stat. 378, P.L. 89-554; Title 44: Act of October 22, 1968, 82 Stat. 1238, P.L. 90-620; Title 49: Act of October 17, 1978, 92 Stat. 1337, P.L. 95-473; Title 11: Act of November 6, 1978, 92 Stat. 2549, P.L. 95-598; Title 31: Act of September 13, 1982, 96 Stat. 877, P.L. 97-258.

63) The Supreme Court of the United States has declared: To the extent that admiralty procedure differs from civil procedure, it is a mystery to moot trial and appellate judges, and to the non-specialist lawyer who finds himself-sometimes to his surprise- involved in a case

cognizable only on the admiralty Aside” of the court. Admiralty practice, said Mr. Justice Jackson, is a unique system of substantive laws and procedures with which members of the Court are singularly deficient in experience.” Black Diamond S.S. Corp. V. Steward & Sons, 336 U.S. 386, 403, 69 S.Ct. 622, 93L.Ed 754 (1949) (dissenting opinion).

64) The district Court for the United States Western district at Seattle is the court of nations having exclusive and limited Admiralty jurisdiction/venue.

65) Petitioners object to be called Plaintiffs, We are forevermore Petitioners/Claimants by Right and have in fact responded to ORDER TO SHOW CAUSE Filed 07/06/2012 by JUDGE-RICHARD ANTHONY JONES Response Date August 3, 2012 to Writ and have established numerous facts to support Jurisdiction and Venue our complaint is comprehensible as a common law tort against agents of a foreign principals failing to file a pretended claim in the appropriate jurisdiction without congressional authority's, failure to rebut this writ, by JUDGE-RICHARD ANTHONY JONES or any of the respondents/ Libelants hereinafter remain in forever default.

66) “The Federal District courts are the accustomed forum in which actions in admirable are tried and in the absence of some special reason therefore no effect should be made to divert this type of litigation to judges less experience in the filed” Calmar S.S. Corp. V. United States, 345, US 446, 97 L.Ed 1140, 73 S.Ct. 733.

67) WHEREFORE, Petitioners/Claimant states for the record In rem deals with rights to property not with the “person”. Because so many people have problems with the word person.

68) The one we are talking about has blood in his veins not a Corporate artificial person or being, See 2 Benedict [6th Edition] § 275, pg. 119, 120: “But where a party discovers that . . .

he has had no proper notice . . . and has thereby been deprived of property; or where there has been fraud of any kind . . . so that no regular remedy is left him, he may obtain redress by filing a libel of review. The subsequent proceedings will be such as equity demands. There is no corresponding provision in the Civil Rules.” Emphasis mine.

69) The District Court is divided in three separate sections. The first section is devoted to criminal law.

70) The second is devoted to civil law. The third section and the one least understood by the Judges and attorneys as noted in Chapter One, is the Admiralty division. The Admiralty section of the court has its own distinct set of rules mentioned herein.

71) No court has Admiralty/Maritime jurisdiction Judicial or Non-Judaical unless there is a valid International maritime contract that has been breached. And generally speaking only the parties of **REAL INTEREST** may bring an action.

72) The Respondents/Libelants Principal, the Fund and Bank. 28 USC §1349; The government by becoming a corpora tor, (See 28 USC §3002(15(A)(B)(C), 22 USCA 286(e)) lays down its sovereignty and takes on that of a private citizen. It can exercise no power which is not derived from the corporate charter. (See: The Bank of the United States v. Planters Bank of Georgia, 5 L.Ed. (Wheat) 244; U.S. v. Butt, 309 U.S. 242).

73) The **REAL PARTY OF INTEREST** is not the de jure “United States of America” or “State”, “The Bank” or its instrumentality's and “The Fund”. (22 USCA 286, et. seq.). The acts committed under fraud, force and seizure are many times done under “Letters of Marque and Reprisal” i.e., “recapture.” (See 31 USCA §5323). Such principles as “Fraud and Justice never dwell together, Wingate’s Maxims 680, and “A right of action cannot arise out of fraud.”

Brown's Maxims 297, 729.

74) Further, Petitioners/Claimants the "bears the burden of demonstrating standing and must plead its components with specificity." *Coyne*, 183 F. 3d at 494; *Valley Forge Christian College v. Americans United for Separation of Church & State*, 454 U.S. 464 (1982).

75) The minimum constitutional requirements for standing are: **proof of injury in fact in the chain of title**, causation, and redress ability *Valley Forge*, 454 U.S. at 472.

76) In addition, "the Petitioners/Claimants must be a proper proponent, and the action a proper vehicle, to vindicate the rights asserted." *Coyne*, 183 F. 3d at 494 (quoting *Pesttrak v. Ohio Elections Comm'n*, 926 F. 2d 573, 576 (6th Cir. 1991)).(emphasis) standing requirements:

77) **Injury:** The Alleged Creditor must have suffered or imminently will suffer injury—an invasion of a legally protected interest (though chain) that is concrete and particularized. The injury must be actual or imminent, distinct and palpable, not abstract. This injury could be economic as well as non-economic.

78) **Two Causation:** There must be a causal connection between the injury and the conduct complained of, so that the injury is fairly traceable to the challenged action of the party and not the result of the independent action of some third party who is not before the court.

79) **Three Redress ability:** It must be likely, as opposed to merely speculative, that a favourable court decision will redress the injury.

80) No ENTITY can be a CREDITOR if they don't hold the asset in question, [i.e.: the NOTE and/or the property]; and Mortgage Pass-through Trusts, [i.e. R.E.M.I.C., as defined in TITLE 26, Subtitle A, CHAPTER 1, Sub-chapter M, PART II, §§ 850-862] cannot hold assets;



for if they do, their tax exempt status is violated and the Trust itself is void ab initio.

81) Respondents/Libelants MUST NOW inform this court, the I.R.S. and the SEC of their status of either being a CREDITOR and/or not being a CREDITOR, in the notice of trustee Deed they make claims of possession of note and mortgage or remain in default.

82) Petitioners/Claimants We question the jurisdiction of any and ALL non-judicial and judicial proceedings known only to Respondents/Libelants as an administrative procedure fraudulently based on an invalid and unenforceable confession of judgement presumption in the mortgage documents. Once jurisdiction is questioned and not proven, the court MUST dismiss the action and overturn the Non-Judicial foreclosure.

**CAVEAT**

Upon receipt of this Bill of lading Petitioners verified response to Writ: ORDER TO SHOW CAUSE Filed 07/06/2012 by JUDGE- RICHARD ANTHONY JONES

Response Date August 3, 2012. to the intended party's, by hand as either a "Public Servant Who by Oath of office or duty as an officer of government created corporation, municipality's, etc., and or by and through your "superior Knowledge of the law " you have 15 days to review and correct any errors within Petitioners verified response to Writ: ORDER TO SHOW CAUSE as to any corrections to the enumerated points herein. Failure to do so within the 15 days, allowing up to three days grace for mail delivery, will place you and your office in default, and the presumption will be taken upon the public record that you and your office fully agrees to the points and authorities contained within this Petitioners verified response to Writ: ORDER TO SHOW CAUSE and that they are true, correct, and certain. (F.R.C.P. 8d).

**Notice to Principal Notice to agent and Notice to agent is Notice to Principal**

**DISCLAIMER**

The use of (F.R.C.P.) and other statutory or and administrative rules and regulations are for attestation purposes does not convey jurisdiction to any foreign fictional entity, or change our character or standing in Law.

**NOTARY PUBLIC'S JURAT**

BEFORE ME, a Notary Public, in and for said State of Washington, the above named natural person did appear and is personally known by me, and who, upon first being duly sworn and/or affirmed, deposes and says that the foregoing asseveration is true to the best of their knowledge and belief. affirmed before me and signed in my presence this day of June 13, 2012.

WITNESS my hand and official seal.

/s/

Notary Public

My Commission Expires On: 10-20-15

JILL E. LANE  
Notary Public  
State of Washington  
My Commission Expires  
October 20, 2015

SEAL

The use of a Notary Witness for attestation purposes does not convey jurisdiction to any foreign fictional entity, or change my character or standing in Law.

**DECLARATION UNDER PENALTY OF PERJURY**

We, declare under the penalties of perjury that all statements in Petitioners verified response to Writ: ORDER TO SHOW CAUSE are true correct and complete in the foregoing to the best of our knowledge and belief investigated and researched in good faith.

Michael Guy MALLONEE (Lawful seal)  
:Michael-Guy: of the MALLONEE, family Estate, Living Man.  
Sole Equitable Holder of the legal Trust Estate by Birth Right.

Mark-Edward (Lawful seal)  
Grantee: Mark-Edward:, Duly Authorize Administrator.

\_\_\_\_\_  
(Witness) (Lawful seal)





HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICHAEL GUY MALLONEE, et al.

Plaintiffs,

v.

YVONNE WHEELER, et al.,

Defendants.

CASE NO. C12-1016 RAJ

ORDER TO SHOW CAUSE

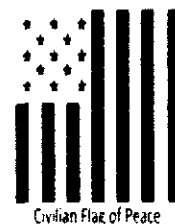
This matter comes before the court *sua sponte*. On June 12, 2012, plaintiffs filed a complaint that is largely incomprehensible. Plaintiffs' basis of jurisdiction appears to be admiralty. Dkt. # 1 ¶ 1. However, plaintiffs have not alleged any facts that give rise to admiralty jurisdiction. Rather, plaintiffs' complaint seems to address non-judicial foreclosure of property. *Id.* ¶¶ 11-51. The court ORDERS plaintiffs to SHOW CAUSE why the complaint should not be dismissed for lack of jurisdiction. Plaintiffs must respond to this order no later than August 3, 2012. Failure to demonstrate a proper basis for jurisdiction will result in dismissal.

Dated this 6<sup>th</sup> day of July, 2012.

The Honorable Richard A. Jones  
United States District Judge

ORDER TO SHOW CAUSE- 1

:Michael-Guy:of the MALLONEE, Estate, Living Man.  
Sole Equitable Holder of the legal Trust Estate by Birth Right.  
:Mark-Edward: Hill, Duly Authorize Administrator.  
of the legal Trust Estate. Private Minister of Justice.  
Original jurisdiction Non-assumpsit/TDC:  
23605 7th Avenue West, Bothell, Washington  
DMM Reg. Sec.122.32; Public Law 91-375, Sec.403  
(425) 761-3560, De Jure American National's of Israel



**UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON**  
**AT SEATTLE**

:Michael-Guy: of the MALLONEE Estate,  
Living Man. And :Mark-Edward:, Duly Authorize  
Administrator for MALLONEE Trust Estate. Not  
Pro Se  
De Jure Americans.

vs

Petitioners

Yvonne J. Wheeler and Rosalyn Hall *and/or her successor, individually, and in her official capacity as* A.V.P. For CAL-WESTERN RECONVEYANCE CORPORATION OF WASHINGTON and AURORA LOAN SERVICES, LLC, and James K. Miersma, Janaya L. Carter, Lauren Davidson Humphrey s, Valerie I Holder, *and/or her successor, individually, and in their official capacity in* ROUTH CRABTREE OLSEN, P.S. and U.S. BANK NATIONAL ASS, R.K ARNOLD, VILMA CASTRO, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC, and SNOHOMISH COUNTY SHERIFF OFFICE, JOHN LOVICK, DEPUTY MURPHY #1439 and COLDWELL BANKER BAIN, BARRY THARP and STATE OF WASHINGTON & Subsidiarity Agency's & Alleged, Grantor's, Grantees & Beneficiary's 1-100. *ALL an ens legis being used to conceal fraud,*

Respondents

Admiralty Case No.C12-1016-RAJ.  
(Original Estate-Article III; Constitution)

Petitioners verified response to Writ:

**ORDER TO SHOW CAUSE**

Filed 07/06/2012 by  
JUDGE- RICHARD ANTHONY JONES  
Response Date August 3, 2012.

Failure to do so within the 15 days, allowing up to three days grace for mail delivery, will place you and your office in default, and the presumption will be taken upon the public record that you and your office fully agrees to the points and authorities contained within this Petitioners/Claimants verified response to Writ: ORDER TO SHOW CAUSE and that they are true, correct, and certain.

Response Date: 07-26-2012.

No Magistrates. No one may handle this case but an Article III judge The nature of this cause is Injunctive relief, albeit preemptive. Title 28 U.S.C. §636(b)(1)(A).

**CERTIFICATE OF SERVICE.**

**CERTIFICATE OF SERVICE**

I, HEREBY CERTIFY that a true and correct, complete of the foregoing, was duly served by hand by :Mark-Edward:To; Deputy clerk of the UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE and party's listed above by US MAIL.

DATED: Bothell, Washington 07/12/2012  (Lawful seal)

:Michael-Guy: MALLONEE: Living Man. Grantor Sole  
Equitable Executor of the legal Trust Estate by Birth Right.

 (Lawful seal)  
Grantee:Mark-Edward:, Duly Authorize Administrator

Petitioners verified response to Writ: 26 of 26

